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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/520,489

01/07/2005

Alan Breen

KLBS0001-100

6542

35151 7590 02/12/2007  
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EXAMINER

BROWN, HELENE C

ART UNIT

PAPER NUMBER

3768

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/12/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/520,489	BREEN, ALAN	
	Examiner	Art Unit	
	Helene Brown	3768	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 January 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 1-8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/07/2007</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 10/520489, filed on 01/07/2005.

### ***Acknowledgement of Preliminary Amendments***

2. For the record, acknowledgement is made of the applicant's preliminary amendments to the specification and the claims under 37 CFR 1.115. The amendments to the specifications are also acknowledged. In addition, it is acknowledged that applicant cancelled claims, 1-8. Under examination are the newly amended claims, 9-32.

### ***Oath/Declaration***

3. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application, by application number, and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

- a. The oath or declaration has not given a post office address anywhere in the application papers as required by 37 CFR 1.33(a), which was in effect at the time of filing of the oath or declaration. A statement over applicant's signature providing a complete post office address is required. It does not identify the mailing address of each inventor. A mailing address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing address should include the ZIP Code designation. The mailing address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.
- b. The oath or declaration does not identify the city and either state or foreign country of residence of each inventor. The residence information may be

provided on either an application data sheet or supplemental oath or declaration.

- c. The oath or declaration does not have the inventor's signature. See MPEP §§ 605.04(a) [R-5].

### ***Information Disclosure Statement***

4. The information disclosure statement (IDS) submitted on 01/07/2005 is acknowledged. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Abstract Objections***

2. The abstract of the disclosure is objected to because the abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. **The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided.** The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc. Correction is required. See MPEP § 608.01(b).

### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include reference sign(s): Figure 2a. The subject matter is showed in Figure 2a but is not proper referenced in the specifications.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include reference sign(s): metallic implants. The subject matter is described in the specifications, Page 15, Line16, but is not proper referenced in the drawing, Figure 2b .

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because:

d. Reference character "5" has been used to designate both swing table and horizontal laterally movable platform.

e. Reference character "23" has been used to designate both X-ray table and horizontal platform base.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet

submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

6. For the record the examiner acknowledges the preliminary amendments to the specifications submitted on 01/07/2005.

#### ***Specification***

7. The use of the trademark Microsoft, Excel and MATLAB has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

#### ***Acknowledgement for Invoking 35 USC § 112, Sixth Paragraph***

For the record, the examiner acknowledges the applicant for invoking 35 USC § 112, Sixth Paragraph, which states:

An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.

As such, the claim limitations are being treated under 35 U.S.C. 112, sixth paragraph.

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However, if a claim limitation does not use the phrase "means for" or "step for," the examiner will not treat such a claim limitation under 35 U.S.C. 112, sixth paragraph.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 15 recites the limitation "the automated measurement" and "the relative motion" in the first line of the claim. Claim 15 recites the limitation "the subject" in the first line of part i. Claim 15 recites the limitation "the imaging procedure" in the first line of part ii. Claim 15 recites the limitation "the processing system" in the first line of part iii. Claim 15 recites the limitation "the results" and "the changing spatial relationship" in the first line of part v. There is insufficient antecedent basis for this limitation in the claim.

Claim 24 recites the limitation "the diagnosis" in the first line of the claim. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claim 9 & 11-13 and rejected under 35 U.S.C. 103(a) as being unpatentable over Votruba'859 (US Patent No. 5,899,856) in view of Bejjani042 (US Patent No. 5,090,042).

**Claim 9:** Votruba'859 teaches a passive motion device (Figure 9) which comprises a horizontal platform base (Figure 9, Element 29) and a horizontal passive motion platform (Figure 9, Element 6 & 25) composed of a horizontal static platform (Figure 9, Element 25) which is rigidly connected to the upper lateral surface of the platform base (Figure 9, Element 29) and a horizontal laterally movable platform (Figure 9, Element 6) which is flexibly connected to the static platform (Figure 9, Element 25), in which the static platform (Figure 9, Element 25) is adjacent to the laterally movable platform (Figure 9, Element 6) which together both form the passive motion platform (Figure 9, Element 6 & 25), in which the movement of the laterally movable platform (Figure 9, Element 6) is driven by a motor (Figure 1, Element 9) attached to the platform base (Figure 9, Element 29) where movement of the laterally movable platform (Figure 9, Element 6) is achieved by means of a control arm (Figure 9, Element 19) that operably connects the laterally moveable platform (Figure 9, Element 6) to the motor



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(Figure 1, Element 9). Votruba'859 teaches an imaging device (Figure 16, Element 101).

Votruba'859 fails to teach in detail the processing system. However, Bejjani'042 teaches a processing system which comprises a computer incorporating a means for real time digital sampling of images of the moving joints (Col. 3, Line 36-42). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bejjani'042 and Votruba'859, in order to take advantage of a processing system that increases the amount of data derived from the recorded images (Col. 2, Line 15-17). Bejjani'042 teaches the means for recording time code (Col. 5, Line 4-8) and data from the passive motion platform (Col. 5, Line 27-45). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bejjani'042 and Votruba'859 in order to take advantage of the data being processed, manipulated and restored over time (Col. 5, Line 29-36). In addition, that such means allow for the automation of the process and eliminates the need for manually conversion and so saves time (Col. 5, Line 40-45). Bejjani'042 teaches means for storage of these images at high resolution (Col. 4, Line 42-45). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bejjani'042 and Votruba'859 for the benefit of the stored motion data later being retrieved from memory for viewing and analysis (Col. 6, Line 16-17). Bejjani'042 teaches means for recognising templates attributed to individual bones (Col. 4, Line 3-25). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bejjani'042 and Votruba'859 for the benefit of

displaying in real-time motion, review or analysis (Col. 3, Line 3-8). Bejjani'042 teaches means for tracking these automatically using cross- correlation functions and means for geometric transformation of the positional data to graphically display their relative motion over time (Col. 6, Line 16-34). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bejjani'042 and Votruba'859 in order to take advantage of the greater level of information (Col. 6, Line 30-34).

**Claim 11:** Votruba'859 teaches the imaging device is a magnetic resonance scanner (Figure 16, Element 101).

**Claim 12:** Votruba'859 teaches in which the laterally movable platform (Figure 9, Element 6) is situated on a support which lies on the upper surface of the platform base (Figure 9, Element 29).

**Claim 13:** Votruba'859 fails to teach where the imaging device is an X-ray tube. However, Bell'859 teaches the use of and x-ray with an image intensifier and the dose control (Col. 6, Line 1-9) for the use of imaging in-vivo motion. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 in order to reveal more information (Col. 1, Line 30-36).

12. Claim 10 & 14 - 32 and rejected under 35 U.S.C. 103(a) as being unpatentable over Votruba'859 (US Patent No. 5,899,856) in view of Bejjani'042 (US Patent No. 5,090,042) and further in view of Bell'859 (US Patent No. 5,099,859).

**Claim 10:** Votruba'859 fails to teach where the imaging device is an X-ray tube. However, Bell'859 teaches the use of and x-ray with an image intensifier and the dose control (Col. 6, Line 1-9) for the use of imaging in-vivo motion. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 in order to reveal more information (Col. 1, Line 30-36).

**Claim 14:** Votruba'859 teaches the imaging device is a magnetic resonance scanner (Figure Element 101).

**Claim 15:** Votruba'859 the automated measurement method of the relative motion of skeletal structures in vivo (Col. 2, Line 26-28). Votruba'859 teaches to position the subject on a passive motion device (Figure 16, Element 31). Votruba'859 teaches initiating the imaging procedure of the subject positioned on the passive motion device and collecting image data using an imaging device (Col. 6, Line 39-54). Votruba'859 teaches sampling the data collected by the imaging device into the processing system (Col. 6, Line 39-62)

Votruba'859 fails to teach the imaging processing aspect of the claimed invention. However, Bejjani'042 teaches superimposing time code on the images for the benefit of proper time registration and play-back (Col. 5, Line 4-8). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 in order to take advantage of record keeping and documentation as well as tracking patient exposure (Col. 7, Line 22-27 & Col. 7, Line 55-62). Bejjani'042 teaches tracking templates marked on individual bone

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segments at the start of the motion sequence (Col. 4, Line 3-36). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 for the benefit of motion analysis and defining points of interest (Col. 4, Line 20 – 45). Bell'859 teaches transforming the results of tracking to reflect the changing spatial relationship between image segments (Col. 4, Line 32-40 & Col. 11, Line 32-38). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 for the benefit of permitting the standardization of interpretations of skeletal studies (Col. 4, Line 29-31). Bell'859 teaches presenting the output in graphical form (Col. 6, Line 1-21, Figure 5 & Figure 6). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 for the benefit of permitting the standardization of interpretations of skeletal studies (Col. 4, Line 29-31).

**Claim 16:** Votruba'859 fails to teach where the imaging device is an X-ray tube. However, Bell'859 teaches the use of and x-ray with an image intensifier and the dose control (Col. 6, Line 1-9) for the use of imaging in-vivo motion. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 Bell'859 in order to reveal more information (Col. 1, Line 30-36).

**Claim 17:** Votruba'859 teaches the imaging device is a magnetic resonance scanner (Figure Element 101).

**Claim 18:** Votruba'859 teaches in which the laterally movable platform (Figure 9, Element 6) is situated on a support which lies on the upper surface of the platform base (Figure 9, Element 29).

**Claim 19:** Votruba'859 fails to teach where the imaging device is an X-ray tube. However, Bell'859 teaches the use of and x-ray with an image intensifier and the dose control (Col. 6, Line 1-9) for the use of imaging in-vivo motion. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 in order to reveal more information (Col. 1, Line 30-36).

**Claim 20:** Votruba'859 teaches the imaging device is a magnetic resonance scanner (Figure Element 101).

**Claim 22:** Votruba'859 teaches the relative motion of lumbar vertebrae L3 to L3, L3 to L4 and L4 to L5 (Col. 8, Line 26-43). Votruba'859 fails to teach tracking the lumbar vertebrae simultaneously or separately. However, Bejjani'042 teaches tracking of the cervical vertebrae such as C4, C5, or C6 either simultaneously or separately as determined by the operators (Col. 4, Line 23-27 & Figure 1, Element P1, P2, P3). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 for the benefit of standardizing of interpretations of skeletal studies (Col. 4, Line 29-31).

**Claim 24:** Votruba'859 fails to teach the diagnosis of a pseudoarthrosis in a subject. However Bejjani'042 teaches the diagnosis of many internal conditions of the spine, which would include pseudoarthrosis, through the analysis of the relative motion

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of skeletal structures (Col. 6, Line 39-51). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 for the benefit of an accurate evaluation (Col. 6, Line 39-51).

**Claim 25:** Votruba'859 fails to teach where the imaging device is an X-ray tube. However, Bell'859 teaches the use of and x-ray with an image intensifier and the dose control (Col. 6, Line 1-9) for the use of imaging in-vivo motion. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 in order to reveal more information (Col. 1, Line 30-36).

**Claim 26:** Votruba'859 teaches the imaging device is a magnetic resonance scanner (Figure Element 101).

**Claim 27:** Votruba'859 teaches in which the laterally movable platform (Figure 9, Element 6) is situated on a support which lies on the upper surface of the platform base (Figure 9, Element 29).

**Claim 28:** Votruba'859 fails to teach where the imaging device is an X-ray tube. However, Bell'859 teaches the use of and x-ray with an image intensifier and the dose control (Col. 6, Line 1-9) for the use of imaging in-vivo motion. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 in order to reveal more information (Col. 1, Line 30-36).

**Claim 29:** Votruba'859 teaches the imaging device is a magnetic resonance scanner (Figure Element 101).

**Claim 31:** Votruba'859 teaches the relative motion of lumbar vertebrae L3 to L3, L3 to L4 and L4 to L5 (Col. 8, Line 26-43). Votruba'859 fails to teach tracking the lumbar vertebrae simultaneously or separately. However, Bejjani'042 teaches tracking of the cervical vertebrae such as C4, C5, or C6 either simultaneously or separately as determined by the operators (Col. 4, Line 23-27 & Figure 1, Element P1, P2, P3). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042 and Votruba'859 for benefit of standardizing of interpretations of skeletal studies (Col. 4, Line 29-31).

13. Claim 21, 23, 30 & 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Votruba'859 (US Patent No. 5,899,856) in view of Bejjani'042 (US Patent No. 5,090,042), in view of Bell'859 (US Patent No. 5,099,859) and further in view of McGregor'060 (US Patent No. 5,891,060).

**Claim 21:** Votruba'859 fails to teach a calibration step is carried out prior to the method of claim 15. However, McGregor'060 teaches the calibration step is carried out prior to the start of the procedure (Col. 16, Line 53 – Col. 17, Line 32). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042, McGregor'060 and Votruba'859 in order to provide verification (Col. 16, Line 53 – Col. 17, Line 32).

**Claim 23:** Votruba'859 teaches the relative motion of lumbar vertebrae L3 to L3, L3 to L4 and L4 to L5 (Col. 8, Line 26-43). Votruba'859 fails to teach tracking the

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lumbar vertebrae simultaneously or separately. However, Bejjani'042 teaches tracking of the cervical vertebrae such as C4, C5, or C6 either simultaneously or separately as determined by the operators (Col. 4, Line 23-27 & Figure 1, Element P1, P2, P3). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042, McGregor'060 and Votruba'859 for the benefit of standardizing of interpretations of skeletal studies (Col. 4, Line 29-31).

**Claim 30:** Votruba'859 fails to teach a calibration step is carried out prior to the method of claim 15. However, McGregor'060 teaches the calibration step is carried out prior to the start of the procedure (Col. 16, Line 53 – Col. 17, Line 32). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042, McGregor'060 and Votruba'859 in order to provide verification (Col. 16, Line 53 – Col. 17, Line 32).

**Claim 32:** Votruba'859 teaches the relative motion of lumbar vertebrae L3 to L3, L3 to L4 and L4 to L5 (Col. 8, Line 26-43). Votruba'859 fails to teach tracking the lumbar vertebrae simultaneously or separately. However, Bejjani'042 teaches tracking of the cervical vertebrae such as C4, C5, or C6 either simultaneously or separately as determined by the operators (Col. 4, Line 23-27 & Figure 1, Element P1, P2, P3). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bell'859, Bejjani'042, McGregor'060 and Votruba'859 for the benefit of standardizing of interpretations of skeletal studies (Col. 4, Line 29-31).




**Conclusion**

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Bell; Rodney E. et al., US Patent No. 5,445,152 A, teaches a Kinematic device for producing precise incremental flexing of the knee; De Boer; Rudolf W., US Patent No. 5,931,781 A, teaches a MR method for the imaging of jointed movable parts; Bonutti; Peter M., US Patent No. 6,141,579 A, teaches a Sequential imaging apparatus; Bonutti; Peter M., US Patent No. 6,697,659 B1, teaches a method of imaging a joint in a body of patient.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Brown whose telephone number is 571-272-2947. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eleni Mantis-Mercader can be reached on 571-272-4740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

  
ELENI MANTIS-MERCADER  
SUPERVISOR/TECHNICAL EXAMINER

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

hcb